

ADVISORY OPINION 94-004

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

March 30, 1994

Mr. Thomas G. Jarrell
724 Highwood Drive
Louisville, Kentucky 40206

Dear Mr. Jarrell:

Thank you for contacting the Registry. Based on the information you have submitted, the facts to your question can be stated as follows:

You represent the Abramson for Mayor, Permanent Committee ("Committee"), which is registered with the Kentucky Registry of Election Finance. The Committee intends to terminate and disburse its funds according to KRS 121.180(10). The Committee intends to dispose of its funds under this statute by donating excess funds to a 501(c)(3) charity, or any other charity permitted by law to receive such funds. The Committee would propose to give its termination funds to the Louisville Education and Employment Partnerships ("LEEP") of Louisville, Jefferson County, Kentucky. LEEP is **not** a 501(c)(3) charity.

Based on the facts you have provided, your question can be stated as follows:

Under KRS 121.180(10), may a partisan, single candidate, permanent committee terminate by contributing its excess funds to a charity which is **not** designated as a 501(c)(3) charity.

As you may know, the Registry of Election Finance considered your advisory opinion request at its latest public meeting held on Wednesday, March 9, 1994. Based on the discussion, your committee may only terminate by contributing to a 501(c)(3) charity. Since the language of KRS 121.180(10) is explicit as to only a 501(c)(3) charity, there is not room for any other interpretation of this question.

This opinion is based upon the course of action outlined in your letter. If you should have any more questions, please give us a call. Thank you.

Sincerely,

Timothy E. Shull
General Counsel

TES/dt